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FM AMEMBASSY JAKARTA

TO RUEHC/SECSTATE WASHDC IMMEDIATE 7539

INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY

RUEHKO/AMEMBASSY TOKYO 1375

RUEHWL/AMEMBASSY WELLINGTON 2211

RUEHBY/AMEMBASSY CANBERRA 1832

RUEHNE/AMEMBASSY NEW DELHI 1505

RUEAIIA/CIA WASHDC

RHEHNSC/NSC WASHDC

RHHJJPI/USPACOM HONOLULU HI

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000009

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DEPT FOR EAP, EAP/MTS, EAP/MLS, DRL/AWH

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SUBJECT: LAND EVICTIONS SPARK HUMAN RIGHTS CONCERN

Classified By: Pol/C Joseph Legend Novak, reasons 1.4 (b+d).

¶11. (C) SUMMARY: The Jakarta provincial government has evicted thousands of urban poor from squatter settlements in recent months. Those evicted have held rallies and human rights groups have complained, charging that authorities are acting with force and not offering appropriate compensation. The treatment of the squatters is providing political fodder to anti-GOI politicians looking ahead to elections in 2009. END SUMMARY.

¶12. (U) EVICTIONS: Land evictions remain an ongoing phenomenon in Jakarta. The largest recent case involved the administration's eviction of thousands of squatters living under the North Jakarta turnpike in August. The evictions took place after fires from some of the settlements released smoke and disturbed transport on the road. Human rights groups estimate that 8000 families were forcibly evicted in sweeps by police during this timeframe. Human rights contacts tell us that 5000 of these families received some compensation and have since moved on, while the remaining 3000 rejected compensation. There were several other instances of large-scale evictions in 2007, impacting thousands of squatters. Some of those who have been evicted have participated in large rallies.

¶13. (SBU) A CONTINUING DEBATE: There has been an ongoing debate in Jakarta about the policy of evictions. Authorities argue that the evictions are of squatters on public and private land that is needed for development or for other purposes. Migrants and other urban poor have no legal right to the land and need to be moved, but--the authorities concede--there has to be some form of compensation. The administration has also argued that the settlements are unsanitary and pose a health hazard for other city residents.

In 2007, in fact, Jakarta's administration reinforced the legal basis for such evictions with a revised public order law (Bylaw 8 of 2007), which directly prohibits vendors and squatters from operating and living on public property, and mandates their removal.

¶14. (SBU) On the other hand, Indonesian human rights groups claim that evictions amount to violating people's rights to housing, earn a livelihood, and school. According to contacts, excessive force is sometimes used to conduct the evictions, and the government often fails to provide assistance to the displaced. In addition, the compensation offered by the government is often wholly inadequate.

¶15. (SBU) Human rights groups are increasingly taking

eviction cases to the courts. The Urban Poor Consortium filed a class action suit on behalf of the thousands of families formerly living under the North Jakarta turnpike, and according to Consortium representative Edi Saidi, the case awaits a hearing at the Central Jakarta District Court. On a national level, Ifdal Khasim of the Human Rights Commission, an independent body, has acknowledged that evictions represent a key issue that needs to be addressed as an urgent human rights matter.

¶6. (C) A POLITICAL ISSUE: Political parties are using the eviction issue as leverage to criticize the government. The Indonesian Democratic Party-Struggle (PDI-P), a party which often employs populist, leftist-type rhetoric, has heavily criticized the Jakarta government for proceeding with the evictions and the Indonesian government for not stopping them. PDI-P legislators, for example, have accused the GOI of being "anti-poor" and "working to help the rich" through the evictions. Alvin Lee, a member of the national legislature, has told us that the evictions are important politically because the squatters number in the tens of thousands in big cities in Indonesia and represent a considerable "vote bank" for politicians. He predicted that the PDI-P could gain "many, many" new supporters if the pace of evictions continues.

¶7. (C) A PROBLEM THAT WON'T GO AWAY: There is little sign that forcible evictions will end any time soon. Tens of thousands of migrants enter Jakarta's metropolitan area every year to join the urban poor, and there is little by way of affordable housing, so people squat. Jakarta, as a developing city, needs the space and the authorities turn to evictions. There is little doubt that the evictions could be

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done in a more humane manner and that more compensation should be offered to the very poor. In the meantime, political parties will continue to make the evictions an issue, flagging them as part of what they characterize as the GOI's "anti-poor" agenda.

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